

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF WISCONSIN

In re:	)	
	)	Case No. 13-36273-gmh
STEPHANIE BURGESS,	)	Chapter 13
	)	
Debtor.	)	

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**NOTICE AND REQUEST TO MODIFY CHAPTER 13 PLAN**

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Stephanie Burgess has filed papers with the court requesting modification of the Chapter 13 Plan in the above case.

**Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)**

If you do not want the court to modify the plan as proposed, or if you want the court to consider your views on the request, then on or before 21 days after service of this notice, you or your attorney must:

File with the court a written request for hearing which shall contain a short and plain statement of the factual and legal basis for the objection. File your written request at:

Clerk of Bankruptcy Court  
517 E. Wisconsin Avenue, Room 126  
Milwaukee, WI 53202-4581

If you mail your request to the court for filing, you must mail it early enough so the court will **receive** it on or before the date stated above.

You must also mail a copy to:

Anton B. Nickolai  
Nickolai & Poletti, LLC  
308 Milwaukee Avenue  
Burlington, WI 53105

If you or your attorney does not take these steps, the court may decide that you do not oppose the request and may enter an order modifying the Plan.

Drafted by:  
Anton B. Nickolai  
State Bar No. 1060676  
Nickolai & Poletti, LLC  
308 Milwaukee Avenue  
Burlington, WI 53105  
(262) 757-8444; Fax (262) 287-9725  
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### REQUEST TO MODIFY CHAPTER 13 PLAN

1. The Proponent of this modification is:
  - A.   X   the Debtor;
  - B.        the Chapter 13 Trustee (post-confirmation modifications only);
  - C.        the holder of an unsecured claim (Name:) (post-confirmation only).
2. This is a request to modify a Chapter 13 Plan (Select A. or B.):
  - A.   X   post-confirmation;
  - B.        pre-confirmation (Select i. or ii.);
    - i.        Debtor(s)/Debtor(s) attorney certifies that the proposed modification does not materially adversely affect creditors (LBR 3015(b)); or
    - ii.        Debtor(s)/Debtor(s) attorney certifies that the proposed modification materially adversely affects only the following creditors and a copy of the proposed modification has been served on them (Local Bankruptcy Rule 3015(b)). The creditors affected are:
3. The Proponent wishes to modify the Chapter 13 Plan to do the following: The debtor intends to temporarily suspend plan payments.
4. The reason(s) for the modification is/are: The debtor recently lost her job and is actively seeking new employment.
5. Select A. or B.
  - A.   X   The Chapter 13 Plan confirmed on August 18, 2014, is modified as follows:
    - (a) **No plan payments shall be due for the months of February 2016 through and including April 2016.**
    - (b) **Within thirty (30) days of procuring new employment, the debtors shall file and amended plan to adjust payments accordingly.**
  - B.        The unconfirmed Chapter 13 Plan dated \_\_, is modified as follows:

All remaining terms and provisions of the Plan are unaffected unless specifically addressed herein. In the event of a conflict between the original Plan and the modification set forth above, the latter shall supersede and control.

6. **BY SIGNING BELOW THE PROPONENT OF THE MODIFICATION CERTIFIES THAT, AFTER REVIEW OF THE MODIFICATION AND ALL OTHER**

**TERMS AND PROVISIONS OF THE PLAN, THOSE REMAINING TERMS AND PROVISIONS OF THE PLAN ARE CONSISTENT WITH THE PROPOSED MODIFICATIONS.**

**CERTIFICATION**

I, Anton B. Nickolai, attorney for the debtor, Stephanie Burgess, certify that I have reviewed the modification proposed above with the debtor, and that the debtor has authorized me to file it with the court.

/s/ Anton B. Nickolai

\_\_\_\_\_  
Counsel for the debtor

January 20, 2016

\_\_\_\_\_  
Date

WHEREFORE, the Proponent requests that the court approve the modification to the Chapter 13 Plan as stated herein.

Dated: January 20, 2016.

Nickolai & Poletti, LLC  
Attorneys for Debtor

/s/ Anton B. Nickolai

\_\_\_\_\_  
By: Anton B. Nickolai  
State Bar No. 1060676

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